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IN THE UNITED STATES DISTRICT COURT  
OF THE NORTHERN MARIANA ISLANDS

LISA BLACK,

) Civil Case No. 05-0038

Plaintiff,

)

) Declaration of Heather L. Kennedy

)

vs.

)

JIM BREWER, CNMI Public School  
System and JOHN AND/OR JANE DOE,

)

)

Defendants.

)

DECLARATION OF HEATHER L. KENNEDY

I, Heather L. Kennedy, declare under penalty of perjury that the following information is true and accurate:

1. I represent the Defendant CNMI Public School System (PSS) in the above captioned matter.
2. While attempting to electronically file PSS's Motion for Summary Judgment on Thursday November 9, 2006, I encountered a problem attaching PSS's declarations and exhibits totaling more than 100 pages to the motion.
3. Despite efforts over several hours on Thursday evening to shrink the Exhibits into pdf files of less than 2.5 megabytes and file, the ECF filing server would kick PSS off the server as we attached the numerous documents to the motion.

4. Therefore, PSS electronically filed its Motion for Summary Judgment in two parts and submits a hard copy of Exhibits A-U to the Court.
5. PSS hand-delivered a hard copy of Exhibits A-U to Plaintiff's counsel at the O'Connor, Berman, Dotts and Banes Office before noon on November 10, 2006.
6. At the request of the Clerk's office, PSS is also e-mailing the pdf files of the Exhibits to the Court and will copy the e-mail to Plaintiff's counsel.

Signed this 13<sup>th</sup> day of November, 2006 on the island of Saipan in the Commonwealth of the Northern Mariana Islands by:

A handwritten signature in black ink, appearing to read "Heather L. Kennedy", written over a horizontal line.

Heather L. Kennedy (F0246)